

Joint Legislative Audit Committee

OFFICE OF THE AUDITOR GENERAL



California Legislature

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March 20, 1978

Letter Report 739

Honorable George Deukmejian
Senate Minority Floor Leader
Room 5070, State Capitol
Sacramento, California 95814

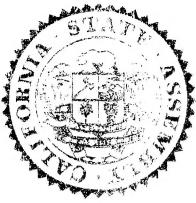
Dear Senator Deukmejian:

Your Joint Legislative Audit Committee respectfully forwards the Auditor General's letter report on the state departments' printing of materials and forms in languages other than English.

The auditors are Kurt R. Sjoberg, Audit Manager, and Robert T. O'Neill.

Cordially,
Mike Cullen
MIKE CULLEN
Chairman

cc: Speaker of the Assembly
President pro Tempore of the Senate
Members of the Senate and Assembly
of the Legislature of California



Joint Legislative Audit Committee

OFFICE OF THE AUDITOR GENERAL



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March 16, 1978

Letter Report 739

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
Room 5144, State Capitol
Sacramento, California 95814

Dear Mr. Chairman and Members:

In response to a resolution of the Joint Legislative Audit Committee, we have reviewed the state departments' printing of materials and forms in languages other than English. This review was conducted under the authority vested in the Auditor General by Section 10527 of the Government Code.

We were asked to review a number of state agencies that have prepared materials in languages other than English and to determine the agencies' experiences in using them. We were asked specifically to identify:

- What materials were ordered
- What quantities were ordered
- When materials were ordered
- What quantities are in inventory.

To gather this information, we reviewed four departments with significant public contact and distributed a questionnaire to other state departments.

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 2

Background

In 1973 the Legislature enacted the Dymally-Alatorre Bilingual Services Act which mandated that every state agency directly involved in furnishing information or rendering services to the public provide any materials explaining services translated into any non-English language spoken by a substantial number of the public it served. Each agency was allowed to determine which of its materials should be translated.

AB1258, chaptered in 1977, eliminated the state agency determination of which materials should be translated and set forth specific guidelines for translations. This measure defined a "substantial number of non-English-speaking people" as "members of a group who either do not speak English, or who are unable to effectively communicate in English because it is not their native language, and who comprise 5 percent or more of the people served by any local office or facility of a state agency." Local offices or facilities of the State which employ 25 or fewer full-time employees were exempted from this requirement provided they employed a sufficient number of qualified bilingual persons in public contact positions to provide the same level of services to non-English-speaking persons as was available to English-speaking persons.

In addition to defining specific guidelines for providing services to non-English-speaking persons, AB1258 mandated that each state agency conduct an annual survey of its local offices to gather information relating to their level of multilingual services. The measure stated that the results of these surveys, along with each agency's plan for compliance with the law, are to be delivered to the State Personnel Board and included in the Board's annual report to the Legislature.

In addition to these general requirements, other mandates require departments to provide translations of specific materials. For example, Section 1656 of the Vehicle Code requires the Department of Motor Vehicles to publish in the Spanish language a summary of the laws regulating the operation of vehicles and the use of highways. Similarly, Section 14191 of the Welfare and Institutions Code requires the Department of Health to provide a standard informed consent form in Spanish for voluntary nonemergency sterilization for Medi-Cal beneficiaries.

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 3

Departments' Current Multilingual Printing Services

We reviewed the Departments of Motor Vehicles, Employment Development, Benefit Payments and Health to determine their experiences with multilingual materials and gain detailed information on their usage of these materials. These departments were selected because they have significant public contact and are known to produce multilingual materials.

Our information was obtained from department records, interviews and questionnaires. We reviewed department recordkeeping and supply functions, but did not audit the individual records. In some instances, we used surveys to gather additional information on departments' utilization of these materials.

What Materials Were Ordered?

The four departments we reviewed printed a variety of materials in languages other than English. Table 1 provides a breakdown of the materials printed.

TABLE 1
Types of Materials Printed by
the Departments Reviewed

Department	Forms	Handbooks	Tests	Signs	Letters	Pamphlets	Identification Cards	Directories	Instructions/Aides	Glossaries	Questionnaires	Computerized Letters	Hearing Summaries
Motor Vehicles	x	x	x	x	x	x							
Employment Development	x	x		x	x	x	x	x	x	x	x	x	
Benefit Payments	x	x		x	x	x			x	x		x	x
Health	x	x		x	x	x		x	x	x	x		

Honorable Mike Cullen
 Chairman, and Members of the
 Joint Legislative Audit Committee
 March 16, 1978
 Page 4

The majority of non-English language materials are printed in Spanish. The remainder are printed in a number of other languages. Table 2 shows the various languages in which departments print materials.

TABLE 2

Languages in Which Materials Are
 Printed in the Departments Reviewed

<u>Department</u>	<u>Spanish</u>	<u>Chinese</u>	<u>Portuguese</u>	<u>Vietnamese</u>	<u>Korean</u>	<u>Tagalog</u>	<u>Japanese</u>	<u>Other Languages</u>
Motor Vehicles	x	x	x	x	x	x	x	-0-
Employment Development	x	x				x		-0-
Benefit Payments	x			x				-0-
Health	x	x	x	x	x	x	x	4

What Quantities Were Ordered? When?

We reviewed the multilingual materials ordered and received by the four departments during calendar years 1976 and 1977. Materials prepared wholly in a language other than English and materials which were partly in English and partly in another language were included in our review. Table 3 shows the number of multilingual materials we identified, the quantities ordered during the survey period and the cost of printing these materials.

TABLE 3

Multilingual Materials Ordered and Received by Departments
 (For the Period 1/1/76-12/31/77)

<u>Department</u>	<u>Number of Multi- lingual Materials</u>	<u>Quantity Ordered</u>	<u>Cost</u>
Motor Vehicles	72	35,754,600	\$219,564
Employment Development	61	19,031,325	93,826 ^{1/}
Benefit Payments	48	2,806,960	38,787
Health	70	7,816,875	368,598 ^{2/}
Totals	251	65,409,760	\$720,775

^{1/} Community Services Directories are maintained in the Employment Development Department field offices and are not included in this total. A survey of field offices revealed the estimated use for fiscal year 1977 was 881,800 copies at an estimated cost of \$6,843. Also, 218 materials which are not controlled by the Forms Management Section were identified, but no cost or quantity information was collected.

^{2/} Does not include 135 materials which are not controlled by the Forms Management Section. These materials were identified by survey, but no cost or quantity information was collected.

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 5

In summary, the four departments printed a total of 251 materials at a total cost of \$720,775 over a two-year period. The volume of printing was 65,409,760 copies.

What Quantities Are in Inventory?

We reviewed the current inventories of materials warehoused in the four departments by physical inspection and survey. We did not inventory department field offices, but we did compile some information on their inventories.

Each department has an inventory control system. Basically, these systems are comprised of a forms management function which coordinates the creation and design of materials, and a supply function which monitors the warehousing of materials. Departments base their production of a particular form on a number of indicators, such as department studies, history of usage of the form or a related form and current usage. The departments' supply functions are responsible for maintaining sufficient stock of materials in the warehouses.

Table 4 provides a listing of the number of materials inventoried and the present quantities on hand in the department warehouses.

TABLE 4

Inventories of Multilingual Materials
Warehoused in Departments

(Inventories as of 12/31/77)

<u>Department</u>	<u>Number of Materials Inventoried</u>	<u>Quantity on Hand as of 12/31/77</u>
Motor Vehicles	57 ^{1/}	11,338,579
Employment Development	61	7,020,514
Benefit Payments	48	2,137,442
Health	70	3,042,359

^{1/} 57 of the 72 materials produced by the Department of Motor Vehicles were maintained in the warehouse. The remaining materials were stored in divisional locations and were not inventoried.

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 6

Questionnaire Survey of
Remaining State Departments

We distributed a questionnaire to all the remaining state departments to determine the general level of activity in printing multilingual materials.

The questionnaire (Appendix A) included inquiries on the number of materials they had printed in a language other than English in fiscal year 1976-77, the language these materials were printed in, the quantities involved and their cost. Thirty-five of the 40 departments surveyed responded to the questionnaire. The results of the questionnaire survey are shown in Table 5.

Honorable Mike Cullen
 Chairman, and Members of the
 Joint Legislative Audit Committee
 March 16, 1978

Page 7

TABLE 5

Department Survey of Materials
 Printed in Languages Other than English 1/

(Fiscal Year 1976-77 Information)

<u>Department</u>	<u>Number of Materials Printed</u>	<u>Languages Printed:</u>		<u>Total Number Printed FY 76-77</u>	<u>Cost of Printing FY 76-77</u>
		<u>Spanish</u>	<u>Other</u>		
Department of Justice	3	x		12,000	\$ 742.00
State Board of Equalization	8	x		21,500	175.75
Department of Aging	8	x	1	38,500	5,080.00
Department of California Highway Patrol	1	x		13,000	85.00
Department of Consumer Affairs	8	x		80,500	7,589.05
Department of Food and Agriculture	3	x	2	78,000	918.36
Department of Forestry	1	x		2,000	500.00
Franchise Tax Board	7	x		317,750	7,864.86
Department of General Services	6	x		750	10.50
Department of Industrial Relations	31	x	1	440,000	26,194.14
Department of Parks and Recreation	7	x	4	6,000	436.00
State Personnel Board	2	x		4,478	55.53
Public Utilities Commission	1	x		5,000	30.00
Department of Real Estate	2	x		4,050	520.76
Department of Rehabilitation	63	x	3	not available	not available
Department of Savings and Loan	1	x		20,000	700.00
Department of Transportation	5	x		19,756	963.00
Department of Water Resources	33	x		452,700	5,916.00
Youth Authority	2	x		4,750	428.00
Secretary of State	15	x	1	878,716	133,009.24
	<u>205</u>			<u>2,399,450</u>	<u>\$191,218.19</u>

1/ Chart based on information provided by departments. In some cases, departments reported partial information or figures on materials not printed during fiscal year 1976-77 but currently in use.

The following departments reported no materials printed in languages other than English:

State Controller	State Fire Marshal
State Treasurer	Department of Fish and Game
State Banking Department	Department of Insurance
Department of Conservation	Military Department
Department of Corporations	State Lands Commission
Public Employees Retirement System	Supreme Court of California
Fair Political Practices Commission	Department of Veterans Affairs
Department of Finance	

The following departments did not respond to the survey:

Department of Housing and Community Development
Department of Education
State Bar of California
California Housing Finance Agency
Department of Corrections

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 8

The survey identified 205 materials prepared by the other departments in fiscal year 1976-77 at a cost of \$191,218. Fifteen of the 35 departments responding to the questionnaire survey did not print materials in a language other than English.

Other Pertinent Information
Concerning Multilingual Materials

We identified the following potential problem areas concerning multilingual printing services: (1) difficulties associated with identifying the need for multilingual services; (2) varying qualities of translations by departments; and (3) the absence of established guidelines and procedures regarding what materials and forms should be translated.

Identifying Need for Services

Different sources of statistics are presently available to departments to assist them in identifying the need for multilingual printed materials. Departments can use information compiled by the U.S. Department of Labor, Bureau of Census; Department of Finance studies of county populations; or their own studies of their caseload population.

There are, however, inherent limitations in using these statistics. According to officials in the Department of Finance, Population Research Unit, various indicators are used to determine minority populations. The current Bureau of the Census information relies on indicators based on ethnic backgrounds or surnames to determine population composition. The officials stated these indicators tend to provide a relatively inflated estimate of minority populations. Conversely, the studies of individual county populations conducted by the Department of Finance determine population composition based on a person's descent or origin. These indicators tend to produce a relatively low estimate of minority populations. Departments that compile minority population estimates based on their own caseload statistics sometimes rely on employee perceptions of the ethnic backgrounds of the clients served. Such population estimates are questionable due to the possibility of mistaken ethnic identification and because the present caseload data may not be representative of the universe of persons who actually need the departments' services. While each of these statistical bases provides an estimate of minority populations, they do not identify the extent of the need for printed materials in a language other than English.

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 9

AB1258 has mandated multilingual services by local offices of state agencies when members of a group who are unable to effectively communicate in English comprise five percent or more of the people serviced by that office. In accordance with AB1258 and a related measure, Assembly Concurrent Resolution 175, departments have recently completed a survey of the number and the percentage of the general population of each limited-English-speaking group served by each local office. The results of the initial department surveys are being compiled by the State Personnel Board and are scheduled to be provided to the Legislature in May 1978. It is important to note that this survey is based on actual caseload data and is subject to the limitations discussed earlier.

Translation Services

Three of the four departments we visited had established centralized translation units to handle translation responsibilities. While the Department of Health had not established such a unit, an internal study released in July 1977 had recommended one. Department officials said no action had been taken on this recommendation pending the upcoming reorganization.

In the three departments that maintained centralized translation units the language capabilities of the staff varied. Each translation unit had Spanish language capabilities. The Departments of Benefit Payments and Motor Vehicles also had Vietnamese translation capabilities within their units. In addition, the Department of Motor Vehicles translation unit had Korean translation capabilities. These departments also use a number of other methods to obtain translations. Translations are obtained from personnel in other sections of the departments, outside consultants, community groups and college language departments. Department personnel reported that the quality of the translations provided from these divergent sources varied considerably.

Identifying Materials to be Translated

None of the departments we visited had issued guidelines or procedures to local offices explaining which materials should be translated. Local offices exercised discretion in this determination. In the absence of such standards, the decision to translate these materials is subjective and a function of local office management's awareness of the law or initiative.

Office of the Auditor General

Honorable Mike Cullen
Chairman, and Members of the
Joint Legislative Audit Committee
March 16, 1978
Page 10

Summary

We have provided information on the state departments' current level of activity in printing multilingual materials and some pertinent information which may indicate potential problems. AB1258 became effective on January 1, 1978 and initial department plans for compliance are due to the State Personnel Board at the end of March 1978. Departments will be responsible for implementing their compliance plans by January 1, 1979. An in-depth review of how effective and efficient departments have been in complying with AB1258 may be appropriate at that time.

Sincerely,



JOHN H. WILLIAMS
Auditor General

Staff: Kurt R. Sjoberg, Audit Manager
Robert T. O'Neill

Attachments: Written Responses to the Auditor General's Report

Director, Department of Benefit Payments

Director, Department of Health

Director, Employment Development Department

Director, Department of Motor Vehicles

Appendix A--Questionnaire Survey

Memorandum

To : John H. Williams
Auditor General
525 L Street, Suite 750
Sacramento, CA 95814

Date : March 13, 1970
Subject : Letter Report 750

From : Department of Benefit Payments

We have reviewed the draft report from your office regarding multilingual printing and have the following comments:

- I. Tables 1 and 2, pages 3 and 4: Tables 1 and 2 refer to the types of materials and the languages in which they are printed.

The information on them about the Department of Benefit Payments (DBP) should be amended as follows: Table 1 to include posters; and, Table 2 to include the languages Tagalog, Ilokano and Chinese.

- II. Translation Services, page 9: The report indicates that: 1) DBP only has translation capabilities in Spanish and Vietnamese; and, 2) that the general quality of translations in all of the departments varies greatly.

While the DBP translation unit deals mainly with Spanish and Vietnamese, there are also capabilities in French, German, Portuguese and Italian. In addition, through outside sources, we can and do provide translations in an infinite variety of languages. These sources have been utilized in the past and will continue to be available on an as-needed basis.

Also, all translations are reviewed by at least one other qualified translator no matter from what source the translation originated in order to insure that the quality and consistency of our translations is high.

- III. Identifying materials to be Translated, page 9: The report indicates that none of the departments has established any guidelines and procedures regarding what materials and forms should be translated.

It is DBP policy to provide Spanish translations of all printed materials disseminated to public assistance recipients. Currently all of these materials are either translated or in the process of being translated. Although this policy originated from an informal agreement between the sections involved, a more formal policy could be set forth in the department's administrative manual if the Auditor General feels this would be appropriate.

In addition, DIF provides guidelines to the county welfare departments concerning the translation of posters, pamphlets and other methods of communications. Attached is a copy of Section 21-17 which specifically deals with these requirements.

We appreciate the opportunity to respond to this report and if you have any questions, please contact Walter Barnes at 445-6542.


Marion J. Woods
Director

Attachment

21-107 DISSEMINATION OF INFORMATION

21-107

.1 General Requirements

Each agency shall make available to applicants, recipients and other interested persons information regarding the provisions of this division and its applicability to the programs for which the agency receives federal or state financial assistance, and make such information available to them in whatever manner the Department of Benefit Payments finds necessary to apprise such persons of the protections against discrimination assured them by the Civil Rights Act and by these regulations.

.2 Specific Methods to be Utilized.21 Posters

.211 A poster on nondiscrimination supplied by the DBP is to be posted prominently in all waiting rooms.

.212 All instructional and directional signs posted in the waiting areas and other places frequented by substantial numbers of non-English speaking applicants and recipients must be translated into the appropriate non-English language and where appropriate state that applicants or recipients whose primary language is other than English can request aid or services in their primary language (see definitions in Section 21-115.1).

.213 DBP posters will be distributed to church and community groups to be posted.

.22 Pamphlet

A pamphlet supplied by the DBP titled "Your Rights Under California Welfare Programs" shall be made available. Upon request this pamphlet will be available in Spanish to:

.221 Applicants for assistance or services.

.222 Recipients during annual reinvestigation of eligibility and in other appropriate circumstances.

.223 Any other person or organization in the community upon request.

.23 Other Methods of Communication

Additional literature, program information, forms, notices or material shall be provided in the language of non-English speaking applicants and recipients when determined necessary by the DBP.

.231 In serving applicants for or recipients of aid or services, agencies shall use the version of the form or written material which is in the individual's primary language.

.232 When critical forms or written materials are required to be sent to an applicant for or recipient of aid or services in a language other than English, and these contain blanks which are filled in with information which is peculiar to the individual, any filled in information shall also be translated into the applicant's or recipient's primary language.

Memorandum

To : *John H. Williams*
Auditor General
Joint Legislative Audit Committee
925 L Street, Suite 750

Date : *March 15, 1978*

Subject :

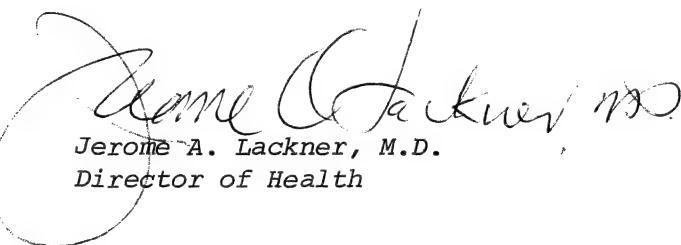
From : *Office of the Director*
714 P Street, Room 1253
5-1248

Thank you for the opportunity to comment on your letter report to the Joint Legislative Audit Committee regarding the department's printing of materials and forms in languages other than English.

We share your concern regarding the potential problem areas you have identified.

The department has completed a study on the multilingual needs of the department. Actions such as the establishment of a multilingual unit to process the non-English translations of materials were recommended. However, due to the reorganization of the department, we have decided to have each new department establish their own guidelines and procedures based on the specific needs of each new department's client population. They will have available to them the extensive report material which has been developed in the Department of Health's study.

I appreciate the opportunity to work with you in this new area of our mutual interest.



Jerome A. Lackner, M.D.
Director of Health

Memorandum

To : John H. Williams, Auditor General
Office of the Auditor General
925 L Street, Suite 750
Sacramento, CA 95814

Date : March 14, 1978

File No.: 27:2:ks

From : Employment Development Department

Subject: LETTER REPORT 739-MULTILINGUAL PRINTING

The subject report has been reviewed and found acceptable as it pertains to the Employment Development Department.

It is the Department's position that its non-English speaking clients receive equal service in the form of quality translations.

We realize this report does not address itself to the size of the translation units in the various departments nor to the quality of the translations produced by the units evaluated. In addition, it fails to cover the cost of translating the printed materials reviewed in the report.

It is our understanding that the materials enumerated in table 3 are "official" department forms. While footnote #1 to table 3 refers to other materials translated by this Department it might create the impression that we do not exercise control over cost, quantity and kinds of materials translated. By way of clarification we wish to point out that there are several levels of review prior to the actual translation and printing of the materials. Furthermore, the 218 materials mentioned in footnote #1 represent this Department's response to local needs of its field offices, making these materials unsuitable for statewide distribution; hence they do not fall into the category of "official" materials.

It should be noted that EDD has translated materials into languages other than Spanish, Chinese and Tagalog which are not mentioned in table #2. Among other languages are translations in Greek, Arabic, German, French, and Russian. These translations were provided by outside sources without cost to EDD.


MARTIN R. GLICK
Director

cc: Livingston, #91
Glick, #83
Jones, #32

OFFICE OF THE DIRECTOR

DEPARTMENT OF MOTOR VEHICLES

P. O. BOX 1828
SACRAMENTO, CA 95809

(916) 445-5281

March 14, 1978

Mr. John H. Williams
Auditor General
Joint Legislative Audit Committee
Office of the Auditor General
925 L Street, Suite 750
Sacramento, CA 95814

Dear Mr. Williams:

We have reviewed the draft report to the Joint Legislative Audit Committee on Multilingual printing (Letter Report 739, March 1978, prepared by the office of Mr. John H. Williams, Auditor General).

We have found that the tables included in the report accurately represent the Multilingual printing at the Department of Motor Vehicles with the exception of an omission in Table 1. DMV provides multilingual materials for press releases and public announcements on a continuing basis.

The report has identified three potential problems concerning multilingual printing services.

1. Difficulties associated with identifying the need for multilingual services.

In 1975, the Department conducted the first of its annual statewide language surveys in its 147 field offices to determine the languages spoken by its clientele. As a result of this survey, the seven languages listed in Table #2 were identified, thus complying with the Dymally-Alatorre Bilingual Services Act of 1973.

We as a department feel that our language survey is the most accurate resource tool to identify the needs of our non-English-speaking clients. Since the survey is conducted on an annual basis (as required by DAB 1201), any changes in these needs will be identified. The survey identifies the languages used by our non-English-speaking clients based on direct contact. This eliminates the possibility of mistaken ethnic identification caused by the employee's perception of the ethnic background.

2. Varying qualities of translations.

By creating the Multilingual Programs Office, the Department has centralized its translation functions in a single unit. All translations are relegated by individuals who have expertise in a foreign language. Many of them are native speakers who have developed their language skills through formal education. The Department also utilizes the services of outside consultants and college language departments. In addition, the translation is reviewed by the ethnic community for which the service is provided.

3. Identifying materials to be translated.

As mentioned in #2, DMV centralizes its translations in a headquarters' unit. Each division in the Department is responsible for studying and making the determination of which of its forms should be translated. This determination is based on factors such as:

Will the form be completed by the customer.

Does the letter affect the subject's driving privilege or vehicle registration.

Does this informational pamphlet promote traffic safety.

Does the form contain information explaining services provided to the public by the Department.

The Department concurs with the report's suggestion that once AB 1250 has been implemented (January 1, 1979) an in-depth review of how effectively and efficiently the Department has complied with AB 1250 may be appropriate.

Sincerely,

Doris A. Almert
Doris A. Almert
Director

OFFICE OF THE AUDITOR GENERAL
SURVEY OF MATERIALS PRINTED IN LANGUAGES
OTHER THAN ENGLISH

APPENDIX A

FORM OR PUBLICATION NUMBER ①	DESCRIPTION	LANGUAGE(S) PRINTED IN	QUANTITY PRINTED FY 76/77 ②	COST OF PRINTING FY 76/77 ③

NOTES:

① Use departmental form or publication number.

② & ③ Estimate these figures if actual printing and cost information is not available. If figures are estimates, annotate with (est.).